

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1851

1 WHEREAS, Tabitha, Inc. and Tabitha Housing Corporation have submitted
 2 an application designated as Special Permit No. 1851 for authority to construct an early
 3 childhood care facility on property located at 4720 J Street, 4740-42 J Street, and 533 S.
 4 48th Street, and legally described to wit:

5 Lots 117, 118, and the south 45 feet of Lot 115, Witherbee
 6 Gardens Addition, located in the Northwest Quarter of Section
 7 29, Township 10 North, Range 7 East of the 6th P.M., Lincoln,
 8 Lancaster County, Nebraska;

9 WHEREAS, the real property adjacent to the area included within the site
 10 plan for this early childhood care facility will not be adversely affected; and

11 WHEREAS, said site plan together with the terms and conditions hereinafter
 12 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
 13 Code to promote the public health, safety, and general welfare.

14 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
 15 Lincoln, Nebraska:

16 That the application of Tabitha, Inc. and Tabitha Housing Corporation,
 17 hereinafter collectively referred to as "Permittee", to construct an early childhood care
 18 facility on the property legally described above, be and the same is hereby granted under
 19 the provisions of Section 27.63.070 of the Lincoln Municipal Code upon condition that
 20 construction and operation of said early childhood care facility be in strict compliance with
 21 said application, the site plan, and the following additional express terms, conditions, and

1 requirements:

2 1. This permit approves an early childhood care facility for a maximum
3 of 63 children and 9 employees.

4 2. The requirement of Section 1 of the Design Standards for Early
5 Childhood Care Facilities that a facility with 31 or more children take access to the facility
6 from an arterial or collector street is hereby waived to allow vehicular access to the facility
7 from a local street.

8 3. Before receiving building permits the construction plans must conform
9 to the approve plans.

10 4. Before occupying the early childhood care facility all development and
11 construction must be completed in conformance with all applicable state and local early
12 childhood care and building requirements and the approved plans.

13 5. The site plan approved by this permit shall be the basis for all
14 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
15 elements, and similar matters.

16 6. The terms, conditions, and requirements of this resolution shall be
17 binding and obligatory upon the Permittee, its successors, and assigns. The building
18 official shall report violations to the City Council which may revoke the special permit or
19 take such other action as may be necessary to gain compliance.

20 7. The Permittee shall sign and return the City's letter of acceptance to
21 the City Clerk within 30 days following approval of the special permit, provided, however,
22 said 30-day period may be extended up to six months by administrative amendment. The
23 City Clerk shall file a copy of the resolution approving the special permit and the letter of

1 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
2 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant